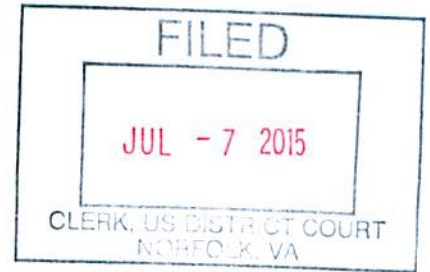


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION



SUPREME KING JUSTICE ALLAH,
formerly known as Albert Curtis Williams, #1140210,

Petitioner,

v.

CIVIL NO. 2:14cv489

HAROLD W. CLARKE,

Respondent.

FINAL ORDER

Petitioner, a Virginia inmate, submitted a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. ECF No. 1. The Petition alleges a violation of federal rights pertaining to Petitioner's convictions on April 19, 1984, in the Circuit Court for the City of Portsmouth, for use of a firearm during the commission of a murder and use of a firearm during the commission of an attempted burglary. Allah was sentenced to six years in the penitentiary for the firearm offenses, and thirty years for murder and attempted robbery.

The matter was referred to a United States Magistrate Judge pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia for report and recommendation. The Report and Recommendation filed on March 24, 2015 recommends that Respondent's Motion to Dismiss, ECF No. 8, be granted, and the Petition for Writ of Habeas Corpus, ECF No. 1, be dismissed because it is a successive petition filed in this Court without prior authorization from the Fourth Circuit, in violation of 28 U.S.C. § 2244(b)(3)(A). Each party was advised of his right to file written objections to the findings and recommendations made by the Magistrate Judge. On April 13, 2015,

the Court received Petitioner's objections to the Report and Recommendation. ECF No. 17.

The Court, having reviewed the record and examined the objections filed by Petitioner to the Report and Recommendation, and having made *de novo* findings with respect to the portions objected to, does hereby **ADOPT** and **APPROVE** the findings and recommendations set forth in the Report and Recommendation. ECF No. 16. It is, therefore, **ORDERED** that Respondent's Motion to Dismiss, ECF No. 8, is **GRANTED**, and the Petition for Writ of Habeas Corpus, ECF No. 1, is **DENIED** and **DISMISSED**. It is further **ORDERED** that judgment be entered in favor of Respondent.

Petitioner has failed to demonstrate "a substantial showing of the denial of a constitutional right." Therefore, the Court declines to issue any certificate of appealability pursuant to Rule 22(b) of the Federal Rules of Appellate Procedure. See Miller-El v. Cockrell, 537 U.S. 322, 335–36 (2003).

Petitioner is hereby notified that he may appeal from the judgment entered pursuant to this Final Order by filing a *written* notice of appeal with the Clerk of this court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510, within thirty days from the date of entry of such judgment.

The Clerk shall mail a copy of this Final Order to Petitioner and counsel of record for Respondent.

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE

Norfolk, Virginia
July 7, 2015